Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main B1 (Official Form 1) (1/08) Document Page 1 of 46

### United States Bankruptcy Court Northern District of Illinois Eastern Division

Voluntary Petition

|   |   |                      |                                   |                         | _                        |   |                                |  |                                      |  |
|---|---|----------------------|-----------------------------------|-------------------------|--------------------------|---|--------------------------------|--|--------------------------------------|--|
| Name of Debtor (if individual, enter Last, First, Middle):  |   |                      |                                   |                         |                          | Name of Joint Debtor (Spouse) (Last, First, Middle)   |                                |  |                                      |  |
| Johr  | ison, D                                 | avid E               | ugene                             | •                       |                          | Johnson, Gwendolyn, Elois   |                                |  |                                      |  |
| All Other Names used by and trade names):   | the Debtor in the                       | last 8 years         | s (include ma                     | rried, maider           | maide                    | All Other Names used by the Joint Debtor in the last 8 years (include married, maiden and trade names):  FKA Gwendolyn Ogletree                   |                                |  |                                      |  |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) * ***-**-8164 |   |                      |                                   |                         |                          | ur digits of Soc.<br>e than one, stat   |                                | idual-Taxpaye<br>*** <b>-</b> ** <b>-2</b> | r I.D. (ITIN) No./Complete EIN       |  |
| Street Address of Debtor (No. & Street, City, and State):   |   |                      |                                   |                         | Street                   | Address of Join   | nt Debtor (No.                 | & Street, City                             | , and State):                        |  |
| 9638 S. Dobso   | on St. Ave                              | <b>)</b> .           |                                   |                         | _   963                  | 8 S. Dob  | son St.                        | Ave.                                       |                                      |  |
| Chicago IL 60628  |   |                      |                                   |                         |                          | cago IL   |                                |  | 60628                                |  |
| County of Residence or o  | f the Principal Pla                     | ace of Busin         | ess:                              |                         | County                   | y of Residence  | or of the Princ                | cipal Place of I                           | Business:                            |  |
|   | CO                                      | OK                   |                                   |                         |                          |   |                                | соок                                       |                                      |  |
| Maille Address (Dable   |   |                      |                                   |                         | Mailine                  | Address of lo   |                                |  | street address):                     |  |
| Mailing Address of Debtor   | r (if different from                    | street addre         | ess)                              |                         | Walling                  | y Address of 30   | ini ioidad ini                 | amerent nom s                              | nieet address).                      |  |
| Location of Principal Asse  | ets of Business D                       | ebtor (if diffe      | erent from str                    | eet address             | above):                  |   |                                |  |                                      |  |
| Type of Debtor (Form (Check one b   |   | '                    | Nature of Bu<br>(Check one        |                         | Chap                     | ter of Bankru   | ptcy Code Un                   | der Which th                               | e Petition is Filed (Check one box)  |  |
| Individual (include   |   |                      | Care Busine                       |                         |                          | hapter 7  |                                | ☐ Chapter                                  | 15 Petition for Recognition          |  |
| See Exhibit D on page  Corporation (inclu   | -                                       | define               | e Asset Real<br>ed in 11 U.S.     |                         | . 1 _                    | hapter 9<br>hapter 11   |                                | of a Fore                                  | eign Main Proceeding                 |  |
| _   | des elo d'eli )                         | Railro               | oad                               | - 0 - (                 |                          | hapter 12   |                                |  | 15 Petition for Recognition          |  |
| ☐ Partnership   |   |                      | broker<br>nodity Brokei           | -                       | □ CI                     | Chapter 13 of a Foreign Nonmain Proceeding  |                                |  |                                      |  |
| Other (If debtor is above entities, ch  |   | I                    | ing Bank                          |                         |                          |   | Nature o                       | f Debts (Check                             | cone Box)                            |  |
| and state type of   | entity below.)                          | ☐ Other              | •                                 |                         |                          | ■ Debts are primarily consumer Debts are primarily business debts, defined in 11 U.S.C. debts.  |                                |  |                                      |  |
|   |   |                      | Tax-Exempt<br>Check box, if ap    |                         |                          | nts, defined in<br>101(8) as "incu  |                                | deb  | 15.                                  |  |
|   |   | . –                  | or is a tax-exe<br>iization under | •                       |                          | dividual primari<br>ersonal, family,  | •                              |  |                                      |  |
|   |   | United               | d States Cod                      |                         |                          | irpose."  | or mousemola                   |  |                                      |  |
|   |   |                      | nue Code).                        |                         |                          |   | Cha                            | apter 11 Debt                              | nre                                  |  |
| <b>=</b> ="=  | Filing Fee (CI                          | neck <b>one</b> box) | )                                 |                         |                          | one box   |                                | •  |                                      |  |
| Filing Fee attached   |   |                      |                                   |                         |                          | ☐ Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D) ☐ Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D) |                                |  |                                      |  |
| ☐ Filing Fee to be paid in  |   |                      |                                   |                         |                          |   | illali busilless               | debior as der                              | med iii 11 0.3.3. g 101(31 <i>D)</i> |  |
| signed application for tunable to pay fee exce  |   |                      | , 0                               |                         |                          | ebtor's aggregationsiders or afflia   |                                |  | debts (excluding debts owed to       |  |
| ☐ Filing Fee wavier requ  | ested (annlicable                       | to chanter           | 7 individuals                     | only) Must              | Chec                     | k all applicable  | e boxes:                       |  |                                      |  |
| attach signed applicati   |   |                      |                                   | • /                     |                          | A plan is being filed with this petition.  Acceptances of the plan were solicited prepetition from one of more classes                            |                                |  |                                      |  |
|   |   |                      |                                   |                         |                          | f creditors, in a   |                                |  |                                      |  |
| Statistical/Administrativ   |   | ilable for die       | stribution to u                   | nacourad ara            | dtioro                   |   |                                |  | This space is for court use only     |  |
| Debtor estimates that funds available for dis   | , after any exemp<br>tribution to unsec | t property is        | s excluded ar                     |                         |                          | es paid, there w  | vill be no                     |  |                                      |  |
| Estimated Number of Credit  | tors                                    |                      |                                   |                         |                          |   |                                |  |                                      |  |
| 1- 50-<br>49 99   | 100-<br>199                             | 200-<br>999          | 1,000-<br>5,000                   | 5,001-<br>10,000        | 10,001<br>25,000         | 25,001<br>50,000  | 50,001<br>100,000              | Over<br>100,000                            |                                      |  |
| Estimated Assets  |   |                      |                                   | D                       |                          | <u> </u>  |                                |  |                                      |  |
| \$0 to \$50,001to   | s \$100,001 to                          | \$500,001            | \$1,000,001<br>to \$10            | \$10,000,001<br>to \$50 | \$50,000,001<br>to \$100 | \$100,000,001<br>to \$500   | \$500,000,001<br>to \$1billion | More than<br>\$1 billion                   |                                      |  |
| \$50,000 \$100,000  | \$500,000                               | to \$1<br>million    | million                           | million                 | million                  | million   | ווטוווומו פּ ט                 | I DIIIIU I ψ                               |                                      |  |
| Estimated Liabilities   | <b>1</b>                                | \$500,001            | \$1,000,001                       | <b>1</b> \$10,000,001   | <b>5</b> 0,000,001       | \$100,000,001   | <b>5</b> 500,000,001           | ☐<br>More than                             |                                      |  |
| \$0 to \$50,001<br>\$50,000 \$100,000   |   | \$500,001<br>to \$1  | \$1,000,001<br>to \$10<br>million | to \$50                 | to \$100                 | \$100,000,001<br>to \$500<br>million  | to \$1billion                  | \$1 billion                                |                                      |  |

Case 09-44472 Doc 1 Filed 11/23/09

B1 (Official Form 1) (1/08) Document Entered 11/23/09 19:17:26 Desc Main Page 2 of 46 Document **Voluntary Petition** Name of Debtor(s)

| 11115                            | page must be completed and med in every case)   |  | n Elois Johnson  |
|----------------------------------|---|--|--|
|                                  | All Prior Bankruptcy Case Filed Within Last 8   | Years (if more than two, attach additional     | sheet)   |
| Location Where Filed             | d:  | Case Number:                                   | Date Filed:  |
| None                             |   |  |  |
| None                             |   |  |  |
|                                  | Pending Bankruptcy Case Filed by any Spouse, Partner, or A  | ·  | -  |
| Name of Debtor:  None            |   | Case Number:                                   | Date Filed:  |
| District:                        |   | Relationship:                                  | Judge:   |
|                                  |   |  |  |
| forms 10K and pursuant to Se     | Exhibit A ted if debtor is required to file periodic reports (e.g., 10Q) with the Securities and Exchange Commission action 13 or 15 (d) of the Securities Exchange Act of questing relief under chapter 11.)   | II —   | e] may proceed under chapter 7, 11, 12 have explained the relief available under |
| ☐ Exhibit A                      | is attached and made a part of this petition.   | /s/ Mario                                      | M Arreola  |
|                                  |   | Mario M Arreola                                | Dated: 11/06/2009  |
| No.  (T Exhibit D If this is a j | Exhibit C is attached and made a part of this petition.  Exhi to be completed by every individual debtor. If a joint petition is file completed and signed by the debtor is attached and made a part oint petition: also completed and signed by the joint debtor is attached and m | t of this petition.                            | a separate Exhibit D.)   |
| •                                | <del>_</del>  |  | =  |
|                                  | There is a bankruptcy case concerning debtor's affiliate,   | , general partner, or partnership pendi        | ng in this District.   |
|                                  | Debtor is a debtor in a foreign proceeding and has its pr<br>States in this District, or has no principal place of busine<br>or proceeding [in a federal or state court] in this District,<br>relief sought in this District.   | ess or assets in the United States but is      | s a defendant in an action   |
|                                  | Certification by a Debtor Who Reside  | es as a Tenant of Residential plicable boxes.) | Property   |
|                                  | Landlord has a judgment against the debtor for possess  | •  | ked, complete the  |
|                                  | following.)  (Name of landlord that obtained judgmen  | t)   |  |
|                                  | (Address of Landlord)   | ·  |  |
| _                                | Debtor claims that under applicable nonbankruptcy law, permitted to cure the entire monetary default that gave ripossession was entered, and  |  |  |
|                                  | Debtor has included in this petition the deposit with the d   | court of any rent that would become du         | ie during the 30-day   |
|                                  | period after the filing of the petition.  Debtor certifies that he/she has served the Landlord with   | h this certification. (11 U.S.C. § 362(1))     |  |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main B1 (Official Form 1) (1/08) Document Page 3 of 46

### **Voluntary Petition**

This page must be completed and filed in every case)

### Name of Joint Debtor(s)

(Check only one box.)

attached.

Johnson, David Eugene Gwendolyn Elois Johnson

Signature of a Foreign Representative

petition is true and correct, that I am the foreign representative of a debtor

Code. Certified copies of the documents required by 11 U.S.C. § 1515 are

I declare under penalty of perjury that the information provided in this

in a foreign proceeding, and that I am authorized to file this petition

 $f \square$  I request relief in accordance with chapter 15 of title 11, United States

Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order

granting recognition of the foreign main proceeding is attached.

(Signature of Foreign Representative)

(Printed Name of Foreign Representative)

### **Signatures**

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7,11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

## /s/ David Eugene Johnson David Eugene Johnson

Dated: 11/06/2009

/s/ Gwendolyn Elois Johnson
Gwendolyn Elois Johnson

Dated: 11/06/2009

### << Sign & Date on Those Lines

### << Sign & Date on Those Lines

### Signature of Attorney

### /s/ Mario M Arreola

Signature of Attorney for Debtor(s)

### Mario M Arreola

Printed Name of Attorney for Debtor(s)

LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603 312.332.1800 (PH)

Date: 11/06/2009

\* In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedule incorrect.

#### Signature of Debtor (Corporation/Partnerhsip)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

### Signature of Non-Attorney Bankruptcy Petition Preparer

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for fi ling for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19B is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) Address

#### Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.



# Document Page 4 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed. 1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunites for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency. 2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed. 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Must be accompanied by a motion for determination by the court.] [Summarize exigent circumstances If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing. 4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.] Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.); Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.); Active military duty in a military combat zone. 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

/s/ David Eugene Johnson

David Eugene Johnson



Sign & Date Here

# Document Page 5 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

Bankruptcy Docket #:

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. check one of the five statements below and attach any documents as directed.

|                          | , 00, 2000  | Gwendolyn Flois Johnson   | Here                               |
|--------------------------|---|---|------------------------------------|
| Dated:                   | 11/06/2009  | /s/ Gwendolyn Elois Johnson   | Sign & Date                        |
| I certify u              | under penalty of perjury  | that the information provided above is true and correct.  |                                    |
|                          | The United States trustee or<br>not apply in this district.   | bankruptcy administrator has determined that the credit counseling requirement of   | 11 U.S.C. § 109(h)                 |
|                          | Active military duty in a milit   |   |                                    |
| partici                  |   | S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonal ng in person, by telephone, or through the Internet.);  | ble effort, to                     |
| of real                  | lizing and making rational decision   | J.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so a ons with respect to financial responsibilities.);  |                                    |
|                          | 4. I am not required to receive a notion for determination by the co                                  | a credit counseling briefing because of: [Check the applicable statement.] [Must be ourt.]  | accompanied                        |
| your b<br>mana<br>the 30 | pankruptcy petition and promptly<br>gement plan developed through<br>D-day deadline can be granted or | to the court, you must still obtain the credit counseling briefing within the first 30 darefile a certificate from the agency that provided the counseling, together with a copy the agency. Failure to fulfill these requirements may result in dismissal of your casnly for cause and is limited to a maximum of 15 days. Your case may also be dismit g your bankruptcy case without first receiving a credit counseling briefing. | of any debt<br>e. Any extension of |
|                          | from the time I made my reques<br>can file my bankruptcy case now                                     | edit counseling services from an approved agency but was unable to obtain the servest, and the following exigent circumstances merit a temporary waiver of the credit cov. [Must be accompanied by a motion for determination by the court.] [Summarize e   | ounseling requirement              |
| perfo<br>a co            | ed States trustee or bankruptcy a<br>orming a related budget analysis                                 | the filing of my bankruptcy case, I received a briefing from a credit counseling ager administrator that outlined the opportunities for available credit counseling and assist, but I do not have a certificate from the agency describing the services provided to cy describing the services provided to you and a copy of any debt repayment plan deer your bankruptcy case is filed.  | ted me in<br>me. You must file     |
| perfo                    | ed States trustee or bankruptcy a<br>orming a related budget analysis                                 | the filing of my bankruptcy case, I received a briefing from a credit counseling agen administrator that outlined the opportunties for available credit counseling and assis, and I have a certificate from the agency describing the services provided to me. A payment plan developed through the agency.   | ted me in                          |

PFG Record # 448744

# Document Page 6 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, C, D, E, F, I and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

|  |                                |                              | AMOUNTS SCHEDULED |             |         |  |
|--|--------------------------------|------------------------------|-------------------|-------------|---------|--|
| Name of Schedule   | Attached<br>YES   NO           | Pages                        | Assets            | Liabilities | Other   |  |
| SCHEDULE A - Real Property                                     | Yes                            | 1                            | \$86,031          | \$-         | \$-     |  |
| SCHEDULE B - Personal Property                                 | Yes                            | 3                            | \$369,465         | \$-         | \$-     |  |
| SCHEDULE C - Property Claimed as Exempt                        | Yes                            | 1+                           | \$-               | \$-         | \$-     |  |
| SCHEDULE D - Creditors Holding Secured Claims                  | Yes                            | 1+                           | \$-               | \$128,500   | \$-     |  |
| SCHEDULE E - Creditors Holding<br>Unsecured Priority Claims    | Yes                            | 2                            | \$-               | \$-         | \$-     |  |
| SCHEDULE F - Creditors Holding<br>Unsecured Nonpriority Claims | Yes                            | 1+                           | \$-               | \$79,640    | \$-     |  |
| SCHEDULE G - Executory Contracts and Unexpired Leases          | Yes                            | 1                            | \$-               | \$-         | \$-     |  |
| SCHEDULE H - CoDebtors   | Yes                            | 1                            | \$-               | \$-         | \$-     |  |
| SCHEDULE I - Current Income of Individual Debtor(s)            | Yes                            | 1                            | \$-               | \$-         | \$3,672 |  |
| SCHEDULE J - Current Expenditures of Individual Debtor(s)      | Yes                            | 1                            | \$-               | \$-         | \$3,661 |  |
| TOTALS   | <b>\$ 455,496</b> TOTAL ASSETS | \$ 208,140 TOTAL LIABILITIES |                   |             |         |  |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Page 7 of 46 Document

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

Bankruptcy Docket #:

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES - 28 U.S.C. § 159

If you are an individual debtor whose debts are primarily consumer debts as defined in 101(8) of the Bankruptcy Code (11 U.S.C. 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts and, therefore, are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C § 159 Summarize the following types of liabilities, as reported in the Schedules, and total them

| Type of Liability  | Amount |
|--|--------|
| Domestic Support Obligations (From Schedule E)   | \$ 0   |
| Taxes and Certain Other Debts Owed to governmental Units (From Schedule E)   | \$ 0   |
| Claims for Death or Personal Injury While Debtor was Intoxicated (From Schedule E) whether disputed or undisputed) | \$ 0   |
| Student Loan Obligations (From Schedule F)   | \$ 0   |
| Domestic Support Separation Agreement and Divorce Decree Obligations Not Reported on (Schedule E).                 | \$ 0   |
| Obligations to Pension or Profit Sharing and Other Similar Obligations (From Schedule F)                           | \$ 0   |
| TOTAL  | \$ 0   |
| State the following:   |        |

| Average Income (from Schedule I, Line 16)  | \$ 3,671.87 |
|--|-------------|
| Average Expenses (from Schedule J, Line 18)  | \$ 3,660.87 |
| Current Monthly Income (from Form 22A Line 12; or, Form 22B Line 11; or, Form 22C Line 20) | \$ 3,466.87 |

#### State the following:

| 1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column               |         | \$ 14,875.00 |
|--|---------|--------------|
| 2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column             | \$ 0.00 |              |
| 3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" Column |         | \$0          |
| 4. Total from Schedule F   |         | \$ 79,640.00 |
| 5. Total of non-priority unsecured debt (sum of 1,3 and 4)                 |         | \$ 94,515.00 |

# Document Page 8 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

| Description and Location of Property                               | Nature of<br>Debtor's Interest<br>in Property | Husband<br>Wife<br>Joint<br>Or<br>Community | Current Value of Debtors<br>Interest in Property<br>Without Deducting and<br>Secured Claim or<br>Exemption | Amount of<br>Secured Claim |
|--|---|---|--|----------------------------|
| 9638 S. Dobson St. Ave., Chicago, IL 60628<br>(Debtors' Residence) | Fee Simple                                    | J   | \$ 86,031  | \$ 95,000                  |
| 1/8 interest in 56 acres in Georgia worth \$84,000                 | Fee Simple                                    |   | \$ 10,800  |                            |

Total Market Value of Real Property
(Report also on Summary of Schedules)

\$96,831.00

PFG Record # 448744 B6A (Official Form 6A) (12/07) Page 1 of 1

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "HWJC." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

### Do not list interest in executory and unexpired leases on this schedule. List them in Schedule G.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." In providing the information in this schedule, do not include the name or address of a minor child. Simpy state a "minor child."

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or quardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

| Type of Property  | N O N E                           | Description and Location of Property   |              | Debtor's<br>Propert<br>Deduc | t Value of<br>Interest in<br>ty, Without<br>cting Any<br>d Claim or |
|---|-----------------------------------|--|--------------|------------------------------|---|
| 01. Cash on Hand  | X                                 |  |              |                              |   |
| 02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives. |                                   |  |              |                              |   |
|   |                                   | Citibank - checking - no balance kept  | J            | <b>N</b>                     | None  |
|   |                                   | Citibank - saving  | J            | \$                           | 150   |
|   |                                   | Citibank - certificate of deposit  | J            | \$                           | 500   |
|   |                                   | Bank of America - checking   | J            | \$                           | 100   |
| 03. Security Deposits with public utilities, telephone companies, landlords and others.   | X                                 |  |              |                              |   |
| 04. Household goods and furnishings, including audio, video, and computer equipment.  |                                   | Household goods; TV, sofa, recliner, vacuum, table/chairs, lamps, TV stand, bedroom set, washer/dryer, large appliances, small appliances, microwave, dishes/flatware, pots/pans, lawn mower Sears - windows | J            | \$                           | 2,000<br>3,000  |
| 05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  |                                   | Sears - windows  | J            | Ψ                            | ·   |
|   |                                   | Books, family pictures   | J            | \$                           | 30  |
| 06. Wearing Apparel   |                                   | Necessary wearing apparel  | J            | \$                           | 400   |
| 07. Furs and jewelry.   |                                   |  |              |                              |   |
| PFG Record # 448744   | <br> <br>   <b>              </b> | Earrings, watch, costume jewelry   | J<br>Form 6E | \$<br>3) (12/07)             | 100<br>Page 1 of 4  |

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

| Description and Location of Property                    | C C   | Current Value of<br>Debtor's Interest in<br>Property, Without<br>Deducting Any<br>Secured Claim or   |
|---|---|--|
| Whale life incurence with New York Life malicutt 5205   |   |  |
| Who le life incurrence with New York Life molicutt 6206 |   |  |
| Whale life incurance with New York Life, neligy# 6206   |   |  |
| Whole life insurance with New York Life - policy# 6296  | Н   | \$ 365   |
| Whole life insurance with New York Life - policy# 1278  | W   | \$ 2,045   |
| Whole life insurance with New York Life - policy# 3254  | Н   | \$ 1,030   |
| Whole life insurance with New York Life - policy# 1567  | Н   | \$ 5   |
| Whole life insurance with New York Life - policy# 6452  | Н   | \$ 1,625   |
| Whole life insurance with New York Life - policy# 9511  | W   | \$ 1,690   |
| Whole life insurance with New York Life - policy# 4963  | W   | \$ 240   |
| Whole life insurance with New York Life - policy# 4467  | W   | \$ 195   |
| Whole life insurance with New York Life - policy# 3984  | W   | \$ 125   |
| Whole life insurance with New York Life - policy# 3148  | W   | \$ 240   |
|   |   |  |
|   |   |  |
|   |   |  |
| Pension w/ former employer - 100% exempt                | н   | \$ 190,000   |
| Pension w/ former employer - 100% exempt                |   | \$ 150,000   |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   |   |  |
|   | Whole life insurance with New York Life - policy# 1567 Whole life insurance with New York Life - policy# 6452 Whole life insurance with New York Life - policy# 9511 Whole life insurance with New York Life - policy# 4963 Whole life insurance with New York Life - policy# 4467 Whole life insurance with New York Life - policy# 3984 Whole life insurance with New York Life - policy# 3148  Pension w/ former employer - 100% exempt Pension w/ former employer - 100% exempt | Whole life insurance with New York Life - policy# 1567 Whole life insurance with New York Life - policy# 6452 Whole life insurance with New York Life - policy# 9511 Whole life insurance with New York Life - policy# 4963 Whole life insurance with New York Life - policy# 4467 Whole life insurance with New York Life - policy# 3984 Whole life insurance with New York Life - policy# 3148 W Pension w/ former employer - 100% exempt H Pension w/ former employer - 100% exempt |

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

| SCHEDULE B - PERSONAL PROPERTY   |      |                                      |             |  |  |  |
|--|------|--------------------------------------|-------------|--|--|--|
| Type of Property   | NONE | Description and Location of Property | C<br>H<br>M | Current Value of<br>Debtor's Interest in<br>Property, Without<br>Deducting Any<br>Secured Claim or |  |  |
| 18. Other liquidated debts owing debtor including tax refunds. Give particulars.   | X    |                                      |             |  |  |  |
| 19. Equitable and future interests, life estates, and rights of power exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.   | X    |                                      |             |  |  |  |
| 20. Contingent and Non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.  | X    |                                      |             |  |  |  |
| 21. Other contingent and unliquidated claims of every nature, including tax refunds, counter claims of the debtor, and rights to setoff claims. Give estimated value of each.  | X    |                                      |             |  |  |  |
| 22. Patents, copyrights and other intellectual property. Give particulars.   | X    |                                      |             |  |  |  |
| 23. Licenses, franchises and other general intangibles.  | X    |                                      |             |  |  |  |
| 24. Customer list or other compilations containing personally identifiable information (as defined in 11 USC 101 41A provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes | X    |                                      |             |  |  |  |
| 25. Autos, Truck, Trailers and other vehicles and accessories.   |      | NO D. I. COOT OL. II. COO            |             | ¢ 45 005   |  |  |
| 26. Boats, motors and accessories.   | Х    | US Bank - 2007 Chrysler 300          | J           | \$ 15,625  |  |  |
| 27. Aircraft and accessories.  |      |                                      |             |  |  |  |
| 28. Office equipment, furnishings, and supplies.   | X    |                                      |             |  |  |  |
| 29. Machinery, fixtures, equipment, and supplie used in business.  | X    |                                      |             |  |  |  |
| 30. Inventory  | X    |                                      |             |  |  |  |
| 31. Animals  |      |                                      |             |  |  |  |
|  |      | Family pets                          |             | None   |  |  |
| 32. Crops-Growing or Harvested. Give particulars.  | X    |                                      |             |  |  |  |
| 33. Farming equipment and implements.  | X    |                                      |             |  |  |  |
| 34. Farm supplies, chemicals, and feed.  | X    |                                      |             |  |  |  |

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

| SCHEDULE B - PERSONAL PROPERTY                                       |      |   |         |  |  |  |
|--|------|---|---------|--|--|--|
| Type of Property   | NONE | Description and Location of Property        | H W J C | Current Value of<br>Debtor's Interest in<br>Property, Without<br>Deducting Any<br>Secured Claim or |  |  |
| 35. Other personal property of any kind not already listed. Itemize. | X    |   |         |  |  |  |
|  |      | Total (Report also on Summary of Schedules) |         | \$369,465  |  |  |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 13 of 46 UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

| SCHEDULE C - PROPERTY   | CLA | AIMED EXEMPT  |
|---|-----|---|
| Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3) |     | Check if debtor claims a homestead exemption that exceeds \$136,875 |

| Description of Property   | Specify Law Providing Each<br>Exemption | Value of<br>Claimed<br>Exemption | Current Value of<br>Property without<br>Deducting<br>Exemption |
|---|---|----------------------------------|--|
| 00. Real Property   |   |                                  |  |
| 9638 S. Dobson St. Ave., Chicago, IL 60628 (Debtors'<br>Residence)  | 735 ILCS 5/12-901                       | \$ 30,000                        | \$ 86,031  |
| 02. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations or credit unions, brokerage houses, or cooperatives. |   |                                  |  |
| Citibank - saving   | 735 ILCS 5/12-1001(b)                   | \$ 150                           | \$ 150   |
| Citibank - certificate of deposit   | 735 ILCS 5/12-1001(b)                   | \$ 500                           | \$ 500   |
| Bank of America - checking  | 735 ILCS 5/12-1001(b)                   | \$ 100                           | \$ 100   |
| 04. Household goods and furnishings, including audio, video, and computer equipment.  |   |                                  |  |
| Household goods; TV, sofa, recliner, vacuum, table/chairs, lamps, TV stand, bedroom set, washer/dryer, large appliances, small appliances, microwave, dishes/flatware, pots/pans, lawn mower                                | 735 ILCS 5/12-1001(b)                   | \$ 2,000                         | \$ 2,000   |
| 05. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.  | 705    00 5/40 4004/-)                  | Ф 20                             |  |
| Books, family pictures  | 735 ILCS 5/12-1001(a)                   | \$ 30                            | \$ 30  |
| 06. Wearing Apparel   |   |                                  |  |
| Necessary wearing apparel   | 735 ILCS 5/12-1001(a),(e)               | \$ 400                           | \$ 400   |
| 07. Furs and jewelry.   |   |                                  |  |
| Earrings, watch, costume jewelry  | 735 ILCS 5/12-1001(a),(e)               | \$ 100                           | \$ 100   |
| 09. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.   |   |                                  |  |
| PEG Record # <b>448744</b>  |   | cial Form 6C) (12/               | 07) Page 1 of 3  |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 14 of 46 UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

| SCHEDULE C - PROPERTY CLAIMED EXEMPT  |  |   |  |  |  |  |  |  |  |  |  |
|---|--|---|--|--|--|--|--|--|--|--|--|
| Debtor claims the exemptions to which debtor is entitled under: (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3) |  | Check if debtor claims a homestead exemption that exceeds \$136,875 |  |  |  |  |  |  |  |  |  |

| Description of Property  | Specify Law Providing Each<br>Exemption | Value of<br>Claimed<br>Exemption | Current Value of<br>Property without<br>Deducting<br>Exemption |
|--|---|----------------------------------|--|
| Whole life insurance with New York Life - policy# 6296   | 735 ILCS 5/12-1001(f)                   | \$ 365                           | \$ 365   |
| Whole life insurance with New York Life - policy# 1278   | 735 ILCS 5/12-1001(f)                   | \$ 2,045                         | \$ 2,045   |
| Whole life insurance with New York Life - policy# 3254   | 735 ILCS 5/12-1001(b)                   | \$ 1,030                         | \$ 1,030   |
| Whole life insurance with New York Life - policy# 1567   | 735 ILCS 5/12-1001(b)                   | \$ 5                             | \$ 5   |
| Whole life insurance with New York Life - policy# 6452   | 735 ILCS 5/12-1001(f)                   | \$ 1,625                         | \$ 1,625   |
| Whole life insurance with New York Life - policy# 9511   | 735 ILCS 5/12-1001(f)                   | \$ 1,690                         | \$ 1,690   |
| Whole life insurance with New York Life - policy# 4963   | 735 ILCS 5/12-1001(b)                   | \$ 240                           | \$ 240   |
| Whole life insurance with New York Life - policy# 4467   | 735 ILCS 5/12-1001(b)                   | \$ 195                           | \$ 195   |
| Whole life insurance with New York Life - policy# 3984   | 735 ILCS 5/12-1001(b)                   | \$ 125                           | \$ 125   |
| Whole life insurance with New York Life - policy# 3148   | 735 ILCS 5/12-1001(b)                   | \$ 240                           | \$ 240   |
| 12. Interest in IRA,ERISA, Keogh, or other pension or profit sharing plans. Give particulars  Pension w/ former employer - 100% exempt | 735 ILCS 5/12-1006                      | \$ 190,000                       | \$ 190,000   |
| Pension w/ former employer - 100% exempt   | 735 ILCS 5/12-1006                      | \$ 150,000                       | \$ 150,000   |
| 25. Autos, Truck, Trailers and other vehicles and accessories.   |   |                                  |  |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 15 of 46 UNITED STATES BANKRUPTCY COURT

### NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

| SCHEDULE C - PROPE   | RTY CLAIMED EXEM                           | ИРТ                              |  |
|--|--|----------------------------------|--|
| Debtor claims the exemptions to which debtor is entitled u (Check one box)  11 U.S.C. § 522(b)(2)  11 U.S.C. § 522(b)(3) | nder: Check if debtor of that exceeds \$13 |                                  | stead exemption  |
| Description of Property  | Specify Law Providing Each<br>Exemption    | Value of<br>Claimed<br>Exemption | Current Value of<br>Property without<br>Deducting<br>Exemption |
| US Bank - 2007 Chrysler 300  | 735 ILCS 5/12-1001(c)                      | \$ 2,400                         | \$ 15,625  |
|  |  |                                  |  |
|  |  |                                  |  |
|  |  |                                  |  |

B6C (Official Form 6C) (12/07) Page 3 of 3 PFG Record # 448744

## Document Page 16 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s) on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule D.

| Creditor's Name and Mailing<br>Including Zip and Account<br>(See Instructions Above)   | Number     형 | H W J C | * Date Claim was Incured<br>* Nature of Lien<br>*Value of Property Subject to Lien<br>*Description of Property  | Contingent | Unliquidated | Disputed | Amount of<br>Claim<br>Without<br>Deducting<br>Value of | Unsecured<br>Portion, If<br>Any |
|--|--------------|---------|---|------------|--------------|----------|--|---------------------------------|
| 1 Chase Manhattan Mortga<br>Attn: Bankruptcy Dept.<br>10790 Rancho Bernardo F<br>San Diego CA 92127<br>Acct No.: 46519690436   | Rd           | J       | Dates: 12/6/99 Nature of Lien: Mortgage Market Value: \$ 86,031 Intention: Reaffirm 524 (c) *Description: 9638 S. Dobson St. Ave., Chicago, IL 60628 (Debtors' Residence)           |            |              |          | \$ 32,000  | \$ 0                            |
| <ul> <li>Citibank Fed. Sav. Bank         <ul> <li>Bankruptcy Department</li> <li>PO Box 183036</li> <li>Columbus OH 43218</li> </ul> </li> <li>Acct No.: 2710136108</li> </ul> |              | J       | Dates: 4/22/05 Nature of Lien: Mortgage - Second Market Value: \$ 120,000 Intention: Reaffirm 524 (c) *Description: 9638 S. Dobson St. Ave., Chicago, IL 60628 (Debtor's Residence) |            |              |          | \$ 63,000  | \$ 0                            |
| 3 Sears Bankruptcy Recove Citibank USA Sears PO Box 20363 Kansas City MO 64195 Acct No.: 2157  | <u>very</u>  | J       | Dates: 7/10/08  Nature of Lien: Purchase Money Sec Int - PMSI  Market Value: \$ 3,000  Intention: Reaff @ Fair Market Value  *Description: Sears - windows                          |            |              |          | \$ 10,500  | \$ 7,500                        |

PFG Record # 448744 B6D (Official Form 6D) (12/07) Page 1 of 2

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 17 of 46

## Document Page 17 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

| Creditor's Name and Mailing Address<br>Including Zip and Account Number<br>(See Instructions Above) | Codebtor | C<br>H<br>M | * Date Claim was Incured  * Nature of Lien  *Value of Property Subject to Lien  *Description of Property  | Contingent | Unliquidated | Disputed | Amount of<br>Claim<br>Without<br>Deducting<br>Value of | Unsecured<br>Portion, If<br>Any |
|---|----------|-------------|---|------------|--------------|----------|--|---------------------------------|
| 4 US Bank Attn: Bankruptcy Dept. Po Box 5227 Cincinnati OH 45201 Acct No.: 512019965                |          | J           | Dates: 5/12/08  Nature of Lien: Lien on Vehicle - PMSI  Market Value: \$ 15,625  Intention: Reaffirm 524 (c)  *Description: US Bank - 2007 Chrysler 300 |            |              |          | \$ 23,000  | \$ 7,375                        |

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Guaranty Bank Bankruptcy Dept. 161 W. Wisconsin Ave. Milwaukee WI 53203

**Total** 

\$ 128,500

\$ 14,875

(Report also on Summary of Schedules.) (if applicatble, report also on Statistical Summary of Certain Liabilities and Related Data.)

# Document Page 18 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts who file a case under chapter 7 or 13 report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors

|     | Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.   |
|-----|---|
| TYP | PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)   |
|     | <b>Domestic Support Obligations</b> Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).   |
|     | Extensions of Credit in an involuntary case Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but bfore the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).  |
|     | Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4). |
|     | Contributions to employee benefit plans Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).  |
|     | Certain farmers and fishermen Claims of certain farmers and fishermen, up to \$5,400* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).  |
|     | Deposits by individuals Claims of individuals up to \$2,425* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).  |
|     | Taxes and certain other Debts Owed to Governmental Units  Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).   |
|     | Commitments to maintain the capital of insured depository institution Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).  |
|     | Claims for death or personal injury while debtor was intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).   |

\* Amounts are subject to adjustment on April 10, 2010, and every three years thereafter with respect to cases commenced on or after the date of adju

B6E (Official Form 6E) (12/07) Page 1 of 1

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 19 of 46

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson / Debtors

### SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts filing a case under chapter 7, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

| Cr | editor's Name, Mailing Address Including<br>Zip Code and Account Number<br>(See Instructions Above) | Codebtor | C A M | Date Claim Was Incurred and<br>Consideration For Claim.<br>If Claim is Subject to Setoff, So State | Contingent | Unliquidated | Disputed | Ar | nount of<br>Claim |
|----|---|----------|-------|--|------------|--------------|----------|----|-------------------|
| 1  | American Express Attn: Bankruptcy Dept. Po Box 297871 Fort Lauderdale FL 33329 Acct #: 2157         |          | J     | Dates: 1983-2009 Reason: Credit Card or Credit Use   |            |              |          | \$ | 1,300             |
| 2  | Aurora Loan Services Bankruptcy Department PO Box 1706 Scottsbluff NE 69363-1706 Acct #: 0106336464 |          | J     | Dates: 1989-2009 Reason: Credit Extended to Debtor(s)  |            |              |          | \$ | 6,400             |
| 3  | Carson/HSBC Attn: Bankruptcy Dept. Po Box 15521 Wilmington DE 19805 Acct #: 2157                    |          | J     | Dates: 2008-09 Reason: Credit Card or Credit Use   |            |              |          | \$ | 1,000             |

Record # 448744 B6F (Official Form 6F) (12/07) Page 1 of 5

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 20 of 46 UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

David Eugene Johnson and Gwendolyn Elois Johnson / Debtors

In re

| SCHEDULE F - CREDITOR   | S H      | OL      | DING UNSECURED NON-PR  | IO         | RI           | ΓΥ       | CLAIMS             |
|---|----------|---------|--|------------|--------------|----------|--------------------|
| Creditor's Name, Mailing Address Including<br>Zip Code and Account Number<br>(See Instructions Above) | Codebtor | H M J C | Date Claim Was Incurred and<br>Consideration For Claim.<br>If Claim is Subject to Setoff, So State | Contingent | Unliquidated | Disputed | Amount of<br>Claim |
| 4 Chase Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081                               |          | J       | Dates: 2007-09 Reason: Credit Card or Credit Use   |            |              |          | \$ 2,700           |
| Acct #: 2157  |          |         |  |            |              |          |                    |
| 5 <u>Chase</u> Attn: Bankruptcy Dept. 800 Brooksedge Blvd Westerville OH 43081                        |          | J       | Dates: 1982-2009 Reason: Credit Card or Credit Use   |            |              |          | \$ 11,300          |
| Acct #: 2157  |          |         |  |            |              |          |                    |
| 6 <u>Citibank</u> Attn: Bankruptcy Dept. Po Box 769006 San Antonio TX 78245                           |          | J       | Dates: 2007-09<br>Reason: Personal Loan  |            |              |          | \$ 13,000          |
| Acct #: 2713818215  |          |         |  |            |              |          |                    |
| 7 <u>Citibank</u> Attn: Bankruptcy Dept. Po Box 6241 Sioux Falls SD 57117                             |          | J       | Dates: 2008-09 Reason: Credit Card or Credit Use   |            |              |          | \$ 4,100           |
| Acct #: 2157  |          |         |  |            |              |          |                    |
| 8 <u>Citibank</u> Attn: Bankruptcy Dept. 1000 Technology Dr O Fallon MO 63368                         |          | J       | Dates: 1999-2009 Reason: Credit Card or Credit Use   |            |              |          | \$ 4,300           |
| Acct #: 2157  |          |         |  |            |              |          |                    |
| 9 Equifax Attn: Bankruptcy Dept. P.O. Box 740241 Atlanta GA 30374 Acct #: XXXXX2157                   |          |         | Dates: 2009<br>Reason: Notice Only   |            |              |          | \$ 0               |
| 10 Experian Attn: Bankruptcy Dept. P.O. Box 2002 Allen TX 75013                                       |          |         | Dates: 2009<br>Reason: Notice Only   |            |              |          | \$ 0               |
| Acct #: XXXXX2157   |          |         |  |            |              |          |                    |

# Document Page 21 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson / Debtors

| SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS                                       |          |             |  |            |              |          |                    |  |  |  |
|--|----------|-------------|--|------------|--------------|----------|--------------------|--|--|--|
| Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)    | Codebtor | C<br>A<br>H | Date Claim Was Incurred and<br>Consideration For Claim.<br>If Claim is Subject to Setoff, So State | Contingent | Unliquidated | Disputed | Amount of<br>Claim |  |  |  |
| 11 First USA Bank Attn: Bankruptcy Dept. Po Box 15298 Wilmington DE 19850 Acct #: 2157             |          | J           | Dates: 1999-2009 Reason: Credit Card or Credit Use   |            |              |          | \$ 23,000          |  |  |  |
| 12 JC Penney/GEMB Attn: Bankruptcy Dept. Po Box 984100 El Paso TX 79998                            |          | J           | Dates: 2008-09 Reason: Credit Card or Credit Use   |            |              |          | \$ 40              |  |  |  |
| Acct #: 2157  13 JC Penney/GEMB Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: 2157 |          | J           | Dates: 2007-09 Reason: Credit Card or Credit Use   |            |              |          | \$ 2,400           |  |  |  |
| 14 Macy's/DSNB Attn: Bankruptcy Dept. 9111 Duke Blvd Mason OH 45040 Acct #: 2157                   |          | J           | Dates: 1979-2009 Reason: Credit Card or Credit Use   |            |              |          | \$ 300             |  |  |  |
| 15 Neiman Marcus/HSBC Attn: Bankruptcy Dept. Po Box 15221 Wilmington DE 19850 Acct #: 2157         |          | J           | Dates: 1984-2009 Reason: Credit Card or Credit Use   |            |              |          | \$ 500             |  |  |  |

Law Firm(s) | Collection Agent(s) Representing the Original Creditor

HSBC Bankruptcy Department PO Box 5253 Carol Stream IL 60197

Record # 448744 B6F (Official Form 6F) (12/07) Page 3 of 5

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson / Debtors

| SCHEDULE F - CREDITORS HOLDING UNSECURED NON-PRIORITY CLAIMS  |          |             |  |            |              |          |                    |  |  |  |  |
|---|----------|-------------|--|------------|--------------|----------|--------------------|--|--|--|--|
| Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above)         | Codebtor | C<br>H<br>M | Date Claim Was Incurred and<br>Consideration For Claim.<br>If Claim is Subject to Setoff, So State | Contingent | Unliquidated | Disputed | Amount of<br>Claim |  |  |  |  |
| 16 Northwestern Memorial Hospital Attn: Bankruptcy Dept. 251 E. Huron St. Chicago IL 60611 Acct #: 8164 |          | Н           | Dates: 2/09 Reason: Medical/Dental Services  |            |              |          | \$ 2,000           |  |  |  |  |

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Harris & Harris, Ltd. Bankruptcy Department 600 W. Jackson Blvd., #400 Chicago IL 60661-5636

| Attn: Bankruptcy Dept. Po Box 981400 El Paso TX 79998 Acct #: 2157                 | J Dates: 1997-2009 Reason: Credit Card or Credit Use | \$ 2,300 |
|--|--|----------|
| 18 Sears/CBSD Attn: Bankruptcy Dept. Po Box 6189 Sioux Falls SD 57117 Acct #: 2157 | J Dates: 2005-09 Reason: Credit Card or Credit Use   | \$ 1,800 |

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Sears Bankruptcy Recovery Citibank USA Sears PO Box 20363 Kansas City MO 64195

Record # 448744 B6F (Official Form 6F) (12/07) Page 4 of 5

# Document Page 23 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson / Debtors

| SCHEDULE F - CREDITORS  | Н        | OL      | DING UNSECURED NON-PR  | IO         | RIT          | Υ        | CLAIMS             |
|---|----------|---------|--|------------|--------------|----------|--------------------|
| Creditor's Name, Mailing Address Including Zip Code and Account Number (See Instructions Above) | Codebtor | H W J C | Date Claim Was Incurred and<br>Consideration For Claim.<br>If Claim is Subject to Setoff, So State | Contingent | Unliquidated | Disputed | Amount of<br>Claim |
| 19 <u>Sears/CBSD</u> Attn: Bankruptcy Dept. Po Box 6189 Sioux Falls SD 57117                    |          | J       | Dates: 1984-2009 Reason: Credit Card or Credit Use   |            |              |          | \$ 1,900           |
| Acct #: 2157  |          |         |  |            |              |          |                    |

### Law Firm(s) | Collection Agent(s) Representing the Original Creditor

Sears Bankruptcy Recovery Citibank USA Sears PO Box 20363 Kansas City MO 64195

| 20 <u>TransUnion</u> Attn: Bankruptcy Dept. P.O. Box 1000 Chester PA 19022 Acct #: XXXXX2157 | Dates: 2009<br>Reason: Notice Only               | \$ 0        |
|--|--|-------------|
| 21 <u>Visdsnb</u> Attn: Bankruptcy Dept. 9111 Duke Blvd Mason OH 45040 Acct #: 2157          | Dates: 2006-09 Reason: Credit Card or Credit Use | \$<br>1,300 |

**Total Amount of Unsecured Claims** 

(Report also on Summary of Schedules)

\$ 79,640.00

B6F (Official Form 6F) (12/07) Page 5 of 5

# Document Page 24 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).



Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract. Description of Contract or Lease and Nature of Debtor's Interest. State whether Lease is for Non-Residential Real Property. State Contract Number or Any Government Contract.

[x] None

PFG Record # 448744 B6G (Official Form 6G) (12/07) Page 1 of 1

# Document Page 25 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

| Name and Address of CoDebtor | Name and Address of the Creditor |
|------------------------------|----------------------------------|
| [x] None                     |                                  |
|                              |                                  |
|                              |                                  |
|                              |                                  |

PFG Record # 448744 B6H (Official Form 6H) (12/07) Page 1 of 1

## UNITED STATES BARKRUPTEY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

Bankruptcy Docket #:

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

| Debtor's Marital  | DEPENDENTS OF DEE | BTOR AND SPOUSE ~ RELATIONSHIP AND AGE |
|-------------------|-------------------|--|
| Status: Married   | None              |  |
|                   | DEBTOR EMPLOYMENT | SPOUSE EMPLOYMENT                      |
| Occupation:       | Retired           | Retired                                |
| Name of Employer: |                   |  |
| Years Employed    |                   |  |
| Employer Address: |                   |  |
| City, State, Zip  | ,                 | ,                                      |

| INCOME: (Estimate of average or projected monthly income at time case filed.)   | DEBTOR                                  | SPOUSE                                 |
|---|---|--|
| Monthly Gross Wages, Salary, and commissions  | \$ 0.00                                 | \$ 0.00                                |
| (Prorate if not paid monthly.) 2. Estimated Monthly Overtime  | \$ 0.00                                 | \$ 0.00                                |
| 3. SUBTOTAL   | \$ 0.00                                 | \$ 0.00                                |
| 4. LESS PAYROLL DEDUCTIONS  | 7 0000                                  | ¥ 3335                                 |
| a. Payroll Taxes and Social Security  | \$ 0.00                                 | \$ 0.00                                |
| b. Insurance  | \$ 0.00                                 | \$ 0.00                                |
| c. Union Dues   | \$ 0.00                                 | \$ 0.00                                |
| d. Other (Specify)  Pension:  | \$ 0.00                                 | \$ 0.00                                |
| Voluntary 401 Contributions:  | \$ 0.00                                 | \$ 0.00                                |
| Child Support:  | \$ 0.00                                 | \$ 0.00                                |
| Life Insurance, Uniforrms, 401K Loan:   | \$ 0.00                                 | \$ 0.00                                |
| 5. SUBTOTAL OF PAYROLL DEDUCTIONS   | \$ 0.00                                 | \$ 0.00                                |
| 6. TOTAL NET MONTHLY TAKE HOME PAY  | \$ 0.00                                 | \$ 0.00                                |
| 7. Regular income from operation of business or profession or farm  | \$ 0.00                                 | \$ 0.00                                |
| 8. Income from real property  | \$ 0.00                                 | \$ 0.00                                |
| Interest and dividends  | \$ 0.00                                 | \$ 0.00                                |
| <ol><li>Alimony, maintenance or support payments payable to the debtor<br/>for the debtor's use or that of dependents listed above.</li></ol> | \$ 0.00                                 | \$ 0.00                                |
| 11. Social Security or government assistance (Specify)  | \$ 205.00                               | \$ 0.00                                |
| 12. Pension or retirement income  | \$ 2,102.00                             | \$ 1,364.87                            |
| 13. Other monthly income (Specify:) & & &   | \$ 0.00                                 | \$ 0.00                                |
| Unemployment Income   | \$ 0.00                                 | \$ 0.00                                |
| 14. SUBTOTAL OF LINES 7 THROUGH 13  |   |  |
| 15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)  | \$ 2,307.00                             | \$ 1,364.87                            |
| 16. COMBINED AVERAGE MONTHLY INCOME (Combine column totals fromlin  | \$ 3,67                                 | 1.87                                   |
| if there is only one debtor repeat total reported on line 15.)  | Report also on Summary of Schedules and | Lif applicable, on Statistical Summary |

Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data.)

Record #: 448744 B6I (Official Form 6I) (12/07) Page 1 of 1

<sup>17.</sup> Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document: **None** 

## UNITED STATES BARKRUPTEN COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

Bankruptcy Docket #:

| Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.  Check box if joint petition is filed & debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spould Property in the property in   | 0.88<br>00<br>00<br>00<br>00<br>00<br>00<br>00<br>00 |
|---|--|
| 1. Rent or home mortgage payment (include lot rented for mobile home) a. Real Estate taxes included? [] Yes [x] No b. Property insurance included? [] Yes [x] No 2. Utilities: a. Electricity and Heating Fuel b. Water, Sewer, Garbage c. Cellphone, Internet d. Other Home Phone and Cable Television 3. Home Maintenance (repairs and upkeep) 4. Food  \$ 1,250 \$ 200.0 \$ 20 | 0.88<br>00<br>00<br>00<br>00<br>00<br>00<br>00<br>00 |
| a. Real Estate taxes included? [] Yes [x] No b. Property insurance included? [] Yes [x] No  2. Utilities: a. Electricity and Heating Fuel   | 00<br>0<br>0<br>00<br>00<br>00<br>00<br>00           |
| a. Real Estate taxes included? [] Yes [x] No b. Property insurance included? [] Yes [x] No  2. Utilities: a. Electricity and Heating Fuel   | 00<br>0<br>0<br>00<br>00<br>00<br>00<br>00           |
| b. Water, Sewer, Garbage c. Cellphone, Internet d. Other Home Phone and Cable Television  3. Home Maintenance (repairs and upkeep)  4. Food  \$ 30.00 \$ \$75.00 \$ \$149.00 \$ \$400.00  | 0<br>0<br>00<br>00<br>00<br>00<br>00<br>00           |
| c. Cellphone, Internet d. Other Home Phone and Cable Television  3. Home Maintenance (repairs and upkeep)  4. Food  \$ 75.00 \$ 149.00 \$ \$ 50.00 \$ \$ 400.00   | 0<br>00<br>0<br>0<br>0<br>0<br>0<br>0                |
| d. Other Home Phone and Cable Television \$ 149.0  3. Home Maintenance (repairs and upkeep) \$ 50.00  4. Food \$ 400.0  | 00<br>00<br>00<br>00<br>00<br>00                     |
| 3. Home Maintenance (repairs and upkeep) \$ 50.00 4. Food \$ 400.0  | 0<br>00<br>0<br>0<br>0                               |
| 4. Food \$400.0   | 00<br>0<br>0<br>0                                    |
| <del></del>   | 0<br>0<br>00   |
| 5 Clothing \$50.00  | 00   |
| o. Glotting   | 00   |
| 6. Laundry and Dry Cleaning \$30.00   |  |
| 7. Medical and Dental Expenses \$ 100.0   | າດ   |
| 8. Transportation (not including car payments) Gas, Tolls/Parking, Fees/Licenses, Repair, Bus/Train \$ 175.0  | ,,   |
| 9. Recreation, Clubs and Entertainment, Newspapers, Magazines, etc. \$40.00   | )  |
| 10. Charitable Contributions \$ 160.0   | 00   |
| 11. Insurance (not deducted from wages or included in home mortgage payments)  a. Homeowner's or Renter's  \$ 50.00   | )  |
| b. Life   |  |
| c. Health   |  |
| d. Auto \$ 150.0  | 20   |
| e. Other  |  |
| 12. Taxes (not deducted from wages or included in home mortgage payments)   |  |
| (Specify) Federal or State Tax Repayments, Real Estate Taxes \$50.00  | )  |
| 13. Installment Payments: (In Chapter 11, 12, and 13 cases, do not list payments to be included in plan)  | 10   |
| a. Auto \$405.9   |  |
| b. Reaffirmation Payments c. Other  \$ 150.0  | )0   |
| · · · · · · · · · · · · · · · · · · ·   |  |
| 45 B  |  |
| 15. Payments for support of additional dependents not living at your nome  \$   |  |
| <u> </u>  |  |
| 17. Other: Haircuts, Hygiene, Newspaper/Mags & Tuition, Books & Childcare & Pet<br>Eyecare, Meds Postage/Banking GLS Repay: Babysitting Care:   |  |
| \$80.00 \$25.00 \$0.00 \$- \$40.00 \$145.0  | 0  |
| 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and if applicable, on the Stastical of Summary of Certain Liabilities and Related Data.   | 30.87  |
| 19. Describe any increase/decrease in expenditures anticipated to occur within the year following the filing this docu. <i>None</i>   | ıment:   |
| 20. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I \$ 3,67  | 1.87   |
| b. Average monthly expenses from Line 18 above \$ 3,660   | ).87   |
| c. Monthly net income (a. minus b.) \$ 11.00  |  |
| d. Total amount to be paid into plan monthly \$ -   |  |

Record #: 448744 B6J (Official Form 6J) (12/07) Page 1 of 1

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 28 of 46

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

Bankruptcy Docket #:

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, and that they are true and correct to the best of my knowledge, information and belief. I have disclosed on the foregoing schedules all property or assets I may have an interest in, the correct value of it, and every debt I may be liable for. I accept the risk that some debts won't be discharged. I have been advised of the difference between Chapter 7 and Chapter 13, income & expense concepts, budgeting, and have made full disclosure.

Debtor's attorney has advised debtor that creditors can object to discharge of their debt on a variety of grounds including fraud, recent credit usage, divorce and support obligations and reckless conduct.

Debtor's attorney has advised debtor that non-dischargeable debts such as taxes, student loans, fines by government units and liens on property of debtor are generally unaffected by bankruptcy.

X Date & Sign 11/06/2009 Dated: /s/ David Eugene Johnson **David Eugene Johnson** /s/ Gwendolyn Elois Johnson X Date & Sign Dated: 11/06/2009 **Gwendolyn Elois Johnson** 

if joint case, both spouses must sign. If NOT a joint case the joint debtor will NOT appear.

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

### DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. 110)

Non-Attorney Petition Preparers were **NOT** used to prepare any portion of this petition. All documents were produced by the Law Offices of Peter Francis Geraci.

THIS SECTION ONLY APPLIES TO PETITION PREPARERS AND HAS NOTHING TO DO WITH THIS CASE

#### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF A CORPORATION OR PARTNERSHIP

This is a personal bankruptcy for an individual(s) and **NOT** a corporation or partnership.

THIS SECTION ONLY APPLIES TO CORPORTATIONS & PARTNERSHIPS AND HAS NOTHING TO DO WITH THIS CASE

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

PFG Record #

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 29 of 46

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

| "Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives;          |
|---|
| corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the      |
| voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent |
| of the debtor. 11 U.S.C. § 101.   |

NONE

#### 01. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

|     | AMOUNT | SOURCE |  |
|-----|--------|--------|--|
|     |        |        |  |
|     |        |        |  |
| ONE | Spouse |        |  |
| ^   |        |        |  |
|     |        |        |  |
|     | AMOUNT | SOURCE |  |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 30 of 46

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

#### 02. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF BUSINESS:

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

2009: \$205/month social security

2008: \$2,328

2007: \$2,328

2009: \$2,102/month pension

2008: \$25,224

2007: \$25,224

Spouse

AMOUNT SOURCE
2009: \$1,365/month pension

2008: \$15,590 2007: \$15,590

#### 03. PAYMENTS TO CREDITORS:

Complete a. or b. as appropriate, and c.

a. INDIVIDUAL OR JOINT DEBTOR(S) WITH PRIMARILY CONSUMER DEBTS: List all payments on loans, installment purchases of goods o services, and other debts to any creditor made within 90 days immediately proceeding the commencement of this case if the aggregate value of all property that constitutes or is affected by such transfer is not less than \$600.00. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and creditor counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

| Name and Address                               | Dates of | Amount         | Amount      |  |
|--|----------|----------------|-------------|--|
| of Creditor                                    | Payments | Paid           | Still Owing |  |
| Chase Manhattan<br>Mortgage, see<br>Schedule D | monthly  | \$654.44/month | \$32,000    |  |
| US Bank, see Schedule<br>D                     | monthly  | \$405.99/month | \$23,000    |  |
| Citibank, see Schedule<br>D                    | monthly  | \$596.44/month | \$63,000    |  |

# Document Page 31 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

was Seized

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

| Name and Address   |  |   | and other transfers by ea not filed.) |
|--|--|---|---------------------------------------|
| of Creditor  | Dates of<br>Payment/Transfers  | Amount Paid or Value of<br>Transfers  | Amount<br>Still Owing                 |
| creditors who are or were insiders   | . (Married debtors filing under chap   | preceding the commencement of this ca<br>ter 12 or chapter 13 must include payme<br>separated and a joint petition is not filed | ents be either or both                |
| Name & Address of Creditor   | Dates  | Amount Paid or Value of   | Amount                                |
| & Relationship to Debtor   | of Payments  | Transfers   | Still Owing                           |
|  | ·  | Transfers  GARNISHMENTS AND ATTACHMENT  | •                                     |
| 04. SUITS AND ADMINISTRATIV List all lawsuits & administrative profile this bankruptcy case. (Married de | E PROCEEDINGS, EXECUTIONS, roceedings to which the debtor is or  | GARNISHMENTS AND ATTACHMENT was a party within 1 (one) year immediater 13 must include information concern                      | S:                                    |
| 04. SUITS AND ADMINISTRATIV  List all lawsuits & administrative processes (Married de                    | E PROCEEDINGS, EXECUTIONS, roceedings to which the debtor is or btors filing under chapter 12 or cha | GARNISHMENTS AND ATTACHMENT was a party within 1 (one) year immediater 13 must include information concern                      | S:                                    |

PFG Record # 448744 B7 (Official Form 7) (12/07) Page 3 of 12

of Property

Seizure

# Document Page 32 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

| returned to the seller, within one  | epossessed by a creditor, sold at a foreclos e year immediately preceding the commencation concerning property of either or both s  | ement of this case. (Married debto  |                             |
|---|---|---|-----------------------------|
| returned to the seller, within one chapter 13 must include informa spouses are separated and a jo | e year immediately preceding the commenc<br>ation concerning property of either or both s   | ement of this case. (Married debto  |                             |
| Name and Address of   | . /   | pouses whether or not a joint petit                                       |                             |
| Creditor or Seller  | Date of Repossession, Foreclosure<br>Sale, Transfer or Return   | Description and<br>Value of Property                                      |                             |
| case. (Married debtors filing und   | EIVERSHIPS:  property for the benefit of creditors made wider chapter 12 or chapter 13 must include a see are separated and a joint petition is not   | iny assignment by either or both sp                                       | =                           |
| Name and Address of Assignee  | Date of Assignment  | Terms of Assignment or Settlement   |                             |
| preceding the commencement  | een in the hands of a custodian, receiver, or of this case. (Married debtors filing under choses whether or not a joint petition is filed, unlined to the Name & Location of Court Case  Title & Number | napter 12 or chapter 13 must includ                                       | de information concerning   |
| _   | outions made within one year immediately p<br>ggregating less than \$200 in value per indiv<br>ed debtors filing under chapter 12 or chapter  | ridual family member and charitabl<br>13 must include gifts or contributi | e contributions aggregating |
| than \$100 per recipient. (Marrie   | filed, unless the spouses are separated and   | d a joint petition is not filed.)   |                             |
| than \$100 per recipient. (Marrie   | filed, unless the spouses are separated and Relationship to Debtor,   | d a joint petition is not filed.)  Date  of                               | Description<br>and Value    |

God, 9011 S. Stoney Island, Chicago, IL 60607 Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 33 of 46

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

NONE

08. LOSSES:

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Description and Value of Property

Description of Circumstances and, if Loss Was Covered in Whole or in Part by Insurance, Give Particulars

Date of Loss

09. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY:

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one (1) year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or Description and Value of Property

Payment/Value: 3,500.00

Law Offices of Peter Francis Geraci 55 E Monroe St Suite#3400 Chicago,IL 60603

09a. PAYMENTS RELATED TO DEBT COUNSELING OR BANKRUPTCY: List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within 1 year immediately preceding the commencement of this case.

Name and Address of Payee Date of Payment, Name of Payer if Other Than Debtor Amount of Money or description and Value of Property

MMI/CCCS 9009 W. Loop S. Houston, TX 77096 Phone 866.983.2227 10/6/09 \$50.00

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Page 34 of 46 Document

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

NONE

X

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

| STATEMENT OF FINANCIAL AFFAIRS   |
|--|
|  |
| 10. OTHER TRANSFERS  |
| a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security with two (2) years immediately preceding the commencement of this case. (Married debtors |

spouses are separated and a joint petition is not filed.) Name and Address of Transferee, Relationship to Debtor

Date

Describe Property Transferred and Value Received

NONE

10b. List all property transferred by the debtor within ten (10) years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the

Name of Trust or other Device

Date(s) of Transfer(s) Amount and Date of Sale or Closing

NONE X

### 11. CLOSED FINANCIAL ACCOUNTS:

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one (1) year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution

Type of Account, Last Four Digits of Account Number, and Amount of Final Balance

Amount and Date of Sale or Closing

NONE X

#### 12. SAFE DEPOSIT BOXES:

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank or Other Depository

Names & Addresses of Those With Access to Box or depository

Description of Contents

Date of Transfer or Surrender, if Any

PFG Record # 448744

# Document Page 35 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

|  | STATEMENT OF FIN  | ANCIAL AFFAIRS   |   |
|--|---|--|---|
| 13. SETOFFS:   |   |  |   |
| of this case. (Married debtors fili  | itor, including a bank, against a debt or<br>ng under chapter 12 or chapter 13 mus<br>the spouses are separated and a joint | t include information concerning ei  |   |
| Name and Address of Creditor   | Date<br>of Setoff   | Amount of Setoff   |   |
| 14. LIST ALL PROPERTY HELD   | FOR ANOTHER PERSON: er person that the debtor holds or contr  | ols.   |   |
| Name and Address of Owner  | Description and Value of Property   | Location of Property   |   |
|  |   |  |   |
|  | FOR(S):  (3) years immediately preceding the converged prior to the commencement of   |  |   |
| If debtor has moved within three occupied during that period and of either spouse.   | (3) years immediately preceding the covacated prior to the commencement of Name   | this case. If a joint petition is filed,  Dates of   |   |
| If debtor has moved within three occupied during that period and   | (3) years immediately preceding the convacated prior to the commencement of  Name Used                                      | this case. If a joint petition is filed,   |   |
| If debtor has moved within three occupied during that period and of either spouse.  Address  16. SPOUSES and FORMER SI If the debtor resides or resided in Louisiana, Nevada, New Mexico | (3) years immediately preceding the convacated prior to the commencement of  Name Used                                      | this case. If a joint petition is filed,  Dates of Occupancy  wealth, or territory (including Alask Visconsin) within eight (8) years im | report also any separate addre a, Arizona, California, Idaho, mediately preceding the |

# Document Page 36 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

|  | STATEMENT OF FINANCIAL AFFAIRS  |   |  |
|--|---|---|--|
|  |   |   |  |
| 17. ENVIRONMENTAL INFOR  | MATION:   |   |  |
| For the purpose of this question   | n, the following definitions apply:   |   |  |
| toxic substances, wastes or ma   | ny federal, state, or local statute or regulati<br>aterial into the air, land, soil surface water,<br>ng the cleanup of the these substances, wa  | ground water, or other medium, in   |  |
| -  | ity, or property as defined under any Envir<br>ng, but not limited to, disposal sites.  | onmental Law, whether or not pre  | esently or formerly owned o  |
| "Hazardous material" means ar<br>environmental Law.  | nything defined as a hazardous waste, haz   | zardous or toxic substances, pollu  | tant, or contaminant, etc. u   |
|  |   |   |  |
|  |   |   |  |
|  |   |   |  |
|  |   |   |  |
|  |   |   |  |
| 17a. List the name and address   | s of every site for which the debtor has rec  | eived notice in writing by a gover  | nmental unit that it may be  |
|  | violation of an Environmental Law. Indicate   | 0,0   |  |
| Environmental Law:   | violation of an Environmental Law. Indicate   | e the governmental unit, the date   | of the flotice, and, if known  |
| Environmental Law.   |   |   |  |
| Site Name  |   |   |  |
| Cito Harrio  | Name and Address  | Date  | Environmental  |
| and Address  | Name and Address of Governmental Unit   | Date<br>of Notice   | Environmental<br>Law   |
|  |   |   |  |
| and Address  17b. List the name and address  | of Governmental Unit  | of Notice   | Law  |
| and Address  17b. List the name and address  | of Governmental Unit  | of Notice   | Law  |
| and Address  17b. List the name and address Material. Indicate the government  | of Governmental Unit s of every site for which the debtor provide ental unit to which the notice was sent and   | of Notice  d notice to a governmental unit of the date of the notice.   | Law f a release of Hazardous   |
| and Address  17b. List the name and address  | of Governmental Unit  | of Notice   | Law f a release of Hazardous   |
| and Address  17b. List the name and address Material. Indicate the governme  | of Governmental Unit s of every site for which the debtor provide ental unit to which the notice was sent and Name and Address  | of Notice  d notice to a governmental unit of the date of the notice.  Date   | Law f a release of Hazardous  Environmental                                    |
| and Address  17b. List the name and address Material. Indicate the governme  | of Governmental Unit s of every site for which the debtor provide ental unit to which the notice was sent and Name and Address  | of Notice  d notice to a governmental unit of the date of the notice.  Date   | Law f a release of Hazardous  Environmental                                    |
| and Address  17b. List the name and address Material. Indicate the governme Site Name and Address  | of Governmental Unit s of every site for which the debtor provide ental unit to which the notice was sent and Name and Address  | of Notice  d notice to a governmental unit of the date of the notice.  Date of Notice   | Law f a release of Hazardous  Environmental Law                                |
| and Address  17b. List the name and address Material. Indicate the governme Site Name and Address  | of Governmental Unit s of every site for which the debtor provide ental unit to which the notice was sent and Name and Address of Governmental Unit   | of Notice  d notice to a governmental unit of the date of the notice.  Date of Notice  or orders, under any Environmental   | f a release of Hazardous  Environmental Law                                    |
| and Address  17b. List the name and address Material. Indicate the governme Site Name and Address  17c. List all judicial or administrated by the second sec | of Governmental Unit  s of every site for which the debtor provide ental unit to which the notice was sent and  Name and Address of Governmental Unit   | of Notice  d notice to a governmental unit of the date of the notice.  Date of Notice  or orders, under any Environmental   | f a release of Hazardous  Environmental Law                                    |
| and Address  17b. List the name and address Material. Indicate the governme Site Name and Address  17c. List all judicial or administrate debtor is or was a party. Indicate number.   | of Governmental Unit  s of every site for which the debtor provide ental unit to which the notice was sent and  Name and Address of Governmental Unit  rative proceedings, including settlements of the name and address of the governmental unit | of Notice  d notice to a governmental unit of the date of the notice.  Date of Notice  or orders, under any Environmental unit that is or was a party to the date of Notice | f a release of Hazardous  Environmental Law                                    |
| and Address  Tb. List the name and address aterial. Indicate the government of the Site Name and Address  Tc. List all judicial or administration is or was a party. Indicate  | of Governmental Unit  s of every site for which the debtor provide ental unit to which the notice was sent and  Name and Address of Governmental Unit   | of Notice  d notice to a governmental unit of the date of the notice.  Date of Notice  or orders, under any Environmental   | Law  f a release of Hazardous  Environmental Law  al Law with respect to whice |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Page 37 of 46 Document

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

NONE

X

NONE

NONE

X

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

| STATEMENT OF FINANCIAL AFFAIRS  |   |   |  |
|---|---|---|--|
|   |   |   |  |
| 18 NATURE, LOCATION AND NAME  | OF BUSINESS   |   |  |
| a. If the debtor is an individual, list the ending dates of all businesses in whic partnership, sole proprietor, or was se immediately preceding the commence within six (6) years immediately prece  | h the debtor was an officer, dire<br>If-employed in a trade, profession<br>ment of this case, or in which the | ctor, partner, or managing executive or<br>on, or other activity either full- or part-t<br>ne debtor owned 5 percent or more of | of a corporation, partner in a ime within six (6) years        |
| If the debtor is a partnership, list the n ending dates of all businesses in whic (6) years immediately preceding the c   | h the debtor was a partner or ov  |   |  |
| If the debtor is a corporation, list the n ending dates of all businesses in whic (6) years immediately preceding the company to the company of the company | h the debtor was a partner or ov  |   |  |
| Name & Last Four Digits of  |   | Nature  | Beginning  |
| Soc. Sec. No./Complete EIN or Other TaxPayer I.D. No.   | Address   | of<br>Business  | and<br>Ending Dates  |
| b. Identify any business listed in subd   | ivision a., above, that is "single<br>Address   | asset real estate" as defined in 11 US  | C 101.   |
| The following questions are to be conhas been, within six years immediately executive, or owner of more than 5 per partnership, a sole proprietor, or self-e  | y preceding the commencement rcent of the voting or equity sec  | urities of a corporation; a partner, other  | officer, director, managing<br>er than a limited partner, of a |
| (An individual or joint debtor should o   | complete this portion of the state  | ement only if the debtor is or has been se. A debtor who has not been in busing   | in business, as defined above,                                 |

List all bookkeepers and accountants who within two (2) years immediately preceding the filing of this bankruptcy case kept or supervised

**Dates Services** 

Rendered

PFG Record # 448744

Name and Address

should go directly to the signature page.)

19. BOOKS, RECORDS AND FINANCIAL STATEMENTS:

the keeping of books of account and records of the debtor.

# Document Page 38 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

|   | STATEMENT OF FIN   | ANCIAL AFFAIRS   |                   |
|---|--|--|-------------------|
|   | duals who within two (2) years immediately prepared a financial statement of the debtor.       | eceding the filing of this bankruptcy case have                            | audited the book  |
| Name  | Address  | Dates Services Rendered  |                   |
|   | uals who at the time of the commencement opooks of account and records are not availab         | f this case were in possession of the books of a le, explain.              | ccount and recc   |
| Name  | Address  |  |                   |
|   | tions, creditors and other parties, including m<br>two (2) years immediately preceding the cor | ercantile and trade agencies, to whom a financ<br>nmencement of this case. | ial statement wa  |
| Address   | Issued   |  |                   |
| 20. INVENTORIES   |  |  |                   |
| List the dates of the last tw<br>the dollar amount and basi |  | e of the person who supervised the taking of ea                            | ach inventory, ar |
| Date<br>of<br>Inventory                                     | Inventory<br>Supervisor  | Dollar Amount of Inventory<br>(specify cost, market of other<br>basis)     |                   |
| b. List the name and addre                                  | ss of the person having possession of the re   | cords of each of the inventories reported in a., a                         | above.            |
| Date<br>of Inventory  | Name and Addresses of Custodian of Inventory Records   | •                                    |                   |
| 21. CURRENT PARTNER   | S, OFFICERS, DIRECTORS AND SHAREH  | OLDERS:  |                   |
| a. If the debtor is a partner                               | ship, list nature and percentage of interest of  | each member of the partnership.  |                   |
| Name<br>and Address   | Nature<br>of Interest  | Percentage of<br>Interest  |                   |

### Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 39 of 46 UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

| 21b. If the debtor is a corporation, licontrols, or holds 5% or more of the   |  | corporation; and each stockholder who directly or indire e corporation.   | ectly owns, |
|---|--|---|-------------|
| Name<br>and Address   | Title  | Nature and Percentage of Stock Ownership  |             |
| 22. FORMER PARTNERS, OFFIC  | ·  |   |             |
| Name  | Address  | nership interest of each member of the partnership.  Date of  Withdrawal  |             |
| Name  | ·  | Date of   |             |
| and Address   | Title  | Termination   |             |
| and Address  23. WITHDRAWALS FROM A PAR   |  |   |             |
| 23. WITHDRAWALS FROM A PAR  | TNERSHIP OR DISTRIBUTION   |   | •           |
| 23. WITHDRAWALS FROM A PAR  If the debtor is a partnership or corp form, bonuses, loans, stock redemp   | TNERSHIP OR DISTRIBUTION   | I BY A COPORATION: stributions credited or given to an insider, including cor   | •           |
| 23. WITHDRAWALS FROM A PAR If the debtor is a partnership or corp form, bonuses, loans, stock redemp commencement of this case.  Name and Address of Recipient, Relationship to | TNERSHIP OR DISTRIBUTION oration, list all withdrawals or ditions, options exercised and ar Date and Purpose of Withdrawal | I BY A COPORATION: stributions credited or given to an insider, including cor y other perquisite during one year immediately preceding  Amount of Money or Description and value of | •           |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 40 of 46

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### STATEMENT OF FINANCIAL AFFAIRS

NONE

25. PENSION FUNDS:

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six (6) years immediately preceding the commencement of the case.

Name of Pension Fund TaxPayer Identification Number (EIN)

### **DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachment thereto and that they are true and correct.

Dated: 11/06/2009 /s/ David Eugene Johnson

**David Eugene Johnson** 

X Date & Sign

Dated: 11/06/2009

/s/ Gwendolyn Elois Johnson

**Gwendolyn Elois Johnson** 

X Date & Sign

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. Sections 152 and 3571

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 41 of 46

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART A - Debts secured by property of the estate. (Part A must be fully completed for EACH debt which is secured by property of the estate. Attach additional pages if necessary.)

| Chase Manhattan Mortgage Attn: Bankruptcy Dept. 10790 Rancho Bernardo Rd San Diego CA 92127  Property will be (check one):  Surrendered  Retained  If retaining the property, I intend to (check at least one):  Redeem the property  Reaffirm the debt  Other. Explain  Claimed as exempt  Property No. 2  Creditor's Name: Citibank Fed. Sav. Bank Bankruptcy Department PO Box 183036 Columbus OH 43218  Property will be (check one):  Starting of the property will be (check one):  Starting of the property of the prop | Property No. 1  |   |
|--|---|---|
| □Surrendered ■Retained  If retaining the property, I intend to (check at least one): □Redeem the property ■Reaffirm the debt □Other. Explain   | Creditor's Name:<br><b>Chase Manhattan Mortgage</b><br>Attn: Bankruptcy Dept.<br>10790 Rancho Bernardo Rd<br>San Diego CA 92127 |   |
| If retaining the property, I intend to (check at least one):  Redeem the property  Reaffirm the debt  Other. Explain   | Property will be (check one):   |   |
| □Redeem the property ■Reaffirm the debt □Other. Explain  | □Surrendered  | Retained                                    |
| ■Reaffirm the debt  □Other. Explain  | If retaining the property, I intend to (check at I  | east one):                                  |
| □Other. Explain  | ☐Redeem the property  |   |
| Property is (check one):  Claimed as exempt  Property No. 2  Creditor's Name: Citibank Fed. Sav. Bank Bankruptcy Department PO Box 183036 Columbus OH 43218  Property will be (check one):  Surrendered  Retained  If retaining the property, I intend to (check at least one):  Redeem the property Reaffirm the debt Other. Explain  (for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):  | ■Reaffirm the debt  |   |
| Property is (check one):  Claimed as exempt    Not claimed as exempt   | □Other. Explain   | (for example, avoid lien using 110 U.S.C. § |
| Property No. 2 Creditor's Name: Citibank Fed. Sav. Bank Bankruptcy Department PO Box 183036 Columbus OH 43218  Property will be (check one):  □ Surrendered □ Retained  If retaining the property ■ Reaffirm the debt □ Other. Explain □ Other. Explain □ Stripperty is (check one): □ Stripperty is (check one): □ Stripperty is (check one): □ Citibank Fed. Sav. Bank 9638 S. Dobson St. Ave., Chicago, IL 60628 (Debtor's Residence)  □ Surrendered □ Retained □ Retained □ (for example, avoid lien using 110 U.S.C. § 522(f)).  □ Property is (check one):   | 522(f)).  |   |
| Property No. 2  Creditor's Name: Citibank Fed. Sav. Bank Bankruptcy Department PO Box 183036 Columbus OH 43218  Property will be (check one):  Surrendered  Retained  If retaining the property, I intend to (check at least one):  Redeem the property Reaffirm the debt Other. Explain Other. Explain Property is (check one):   | Property is (check one):  |   |
| Creditor's Name:  Citibank Fed. Sav. Bank  Bankruptcy Department PO Box 183036 Columbus OH 43218  Property will be (check one):  Surrendered  Retained  If retaining the property Reaffirm the debt Other. Explain Other. Explain Property is (check one):  (for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):   | ■Claimed as exempt  | □Not claimed as exempt                      |
| Creditor's Name:  Citibank Fed. Sav. Bank  Bankruptcy Department PO Box 183036 Columbus OH 43218  Property will be (check one):  Surrendered  Retained  If retaining the property Reaffirm the debt Other. Explain Other. Explain Property is (check one):  (for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):   | Property No. 2  | Í   |
| □Surrendered ■Retained  If retaining the property, I intend to (check at least one): □Redeem the property ■Reaffirm the debt □Other. Explain   | Creditor's Name: Citibank Fed. Sav. Bank Bankruptcy Department PO Box 183036 Columbus OH 43218                                  |   |
| If retaining the property, I intend to (check at least one):  □Redeem the property  ■Reaffirm the debt □Other. Explain   | Property will be (check one):   |   |
| □Redeem the property ■Reaffirm the debt □Other. Explain(for example, avoid lien using 110 U.S.C. § 522(f)).  Property is (check one):  | □Surrendered ■F   | Retained                                    |
| 522(f)). Property is (check one):  | □Redeem the property  | east one):                                  |
| 522(f)). Property is (check one):  | □Other. Explain   | (for example, avoid lien using 110 U.S.C. § |
|  | 522(f)).  | ( = = = = = = = = = = = = = = = =           |
| □Claimed as exempt ■Not claimed as exempt  | Property is (check one):  |   |
|  | □Claimed as exempt  | ■Not claimed as exempt                      |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 42 of 46 UNITED STATES BANKRUPTCY COURT

## NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

DERTOD'S STATEMENT OF INTENTION

In re

| DEDICK   | 3 STATEMENT OF INTENTION  |
|--|---|
| <u> </u>   |   |
|  | Describe Property Securing Debt:<br>Sears - windows             |
| Property will be (check one):  |   |
| □Surrendered ■F  | Retained  |
| If retaining the property, I intend to (check at let □ Redeem the property  ■Reaffirm the debt | east one):  |
| □Other. Explain  | (for example, avoid lien using 110 U.S.C. §                     |
| 522(f)).   | (tol example, avoid lieft dsirig 110 0.3.c. §                   |
| Property is <i>(check one)</i> :  □Claimed as exempt   | ■Not claimed as exempt  |
|  | •   |
| Property No. 4 Creditor's Name: US Bank Attn: Bankruptcy Dept. Po Box 5227 Cincinnati OH 45201 | Describe Property Securing Debt:<br>US Bank - 2007 Chrysler 300 |
| Property will be (check one):  |   |
| □Surrendered ■F  | Retained  |
| If retaining the property, I intend to (check at let □ Redeem the property  ■Reaffirm the debt | east one):  |
| □Other. Explain  | (for example, avoid lien using 110 U.S.C. §                     |
| 522(f)).   |   |
| Property is (check one):   |   |
| ■Claimed as exempt   | □Not claimed as exempt  |

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 43 of 46

## UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson / Debtors

### **DEBTOR'S STATEMENT OF INTENTION**

PART B - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.)

| Property No. 0       |  |
|----------------------|--|
| Lessor's Name:  NONE | Lease will be<br>assumed pursuant to<br>11 U.S.C. § 365(p)(2):<br>□ Yes □ No |

I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

Dated: 11/06/2009 /s/ David Eugene Johnson

11/06/2009

Dated:

**David Eugene Johnson** 

/s/ Gwendolyn Elois Johnson

**Gwendolyn Elois Johnson** 

X Date & Sign

X Date & Sign

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 44 of 46

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

Bankruptcy Docket #:

### DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR - 2016B

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

#### The compensation paid or promised by the Debtor(s), to the undersigned, is as follows: \$3,200 For legal services, Debtor(s) agrees to pay and I have agreed to accept \$3,200 Prior to the filing of this Statement, Debtor(s) has paid and I have received The Filing Fee has been paid. **Balance Due** The source of the compensation paid to me was:

Debtor(s) Other: (specify)

The source of compensation to be paid to me on the unpaid balance, if any, remaining is:

Debtor(s) Other: (specify)

The undersigned has received no transfer, assignment or pledge of property from the debtor(s) except the following for the value stated: None.

- The undersigned has not shared or agreed to share with any other entity, other than with members of the undersigned's law firm, any compensation paid or to be paid without the client's consent, except as follows: **None.**
- The Service rendered or to be rendered include the following:
- (a) Analysis of the financial situation, and rendering advice and assistance to the client in determining whether to file a petition under Title 11. U.S.C.
- (b) Preparation and filing of the petition, schedules, statement of affairs and other documents required by the court.
- (c) Representation of the client at the **first scheduled** meeting of creditors.
- (d) Advice as required.
- By agreement with the debtor(s), the above-disclosed fee does not include the following service: Fee does **NOT** include missed court dates & amendments to schedules, contested matters, motions, objections to discharge or other matters except the first meeting of creditors.

#### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Respectfully Submitted,

/s/ Mario M Arreola 11/06/2009 Dated:

> Attorney Name: Mario M Arreola LAW OFFICES OF PETER FRANCIS GERACI 55 E. Monroe Street #3400 Chicago IL 60603

312.332.1800 (PH) 312.332.6354 (FAX)

Bar No: IL 6197597

Case 09-44472 Doc 1 Filed 11/23/09 Entered 11/23/09 19:17:26 Desc Main Document Page 45 of 46

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In re

David Eugene Johnson, and Gwendolyn Elois Johnson, Debtors

### **VERIFICATION OF CREDITOR MATRIX**

The above named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of our knowledge.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Dated: 11/06/2009 /s/ David Eugene Johnson

**David Eugene Johnson** 

X Date & Sign

Dated: 11/06/2009

448744

PFG Record #

/s/ Gwendolyn Elois Johnson
Gwendolyn Elois Johnson

X Date & Sign

<sup>\*</sup> Joint debtors must provide information for both spouses. Penalty for making a false statement or concealing property: Fine up to \$500,000 or up to 5 years imprisonment or both. 18 U.S.C. 152 and 3571.

David Eugene Johnson and Gwendolyn Elois Johnson, Debtors

### **NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S)**

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

### 1. Services Available from Credit Counseling Agencies

In re

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> bankruptcy filing. Briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) must be provided by nonprofit budget & credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

- 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.
- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not

### Chapter 13: Repayment of All or Part of Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

#### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

#### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family farm or fishing operation.

#### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

I (We), the debtor(s), affirm that I (we) have received and read this notice.

/s/ David Eugene Johnson Sign & Date Dated: 11/06/2009 Here **David Eugene Johnson** /s/ Gwendolyn Elois Johnson 11/06/2009 Sign & Date Dated: **Gwendolyn Elois Johnson** Here /s/ Mario M Arreola 11/06/2009 Dated: Attorney: Mario M Arreola Bar No: IL 6197597

PFG Record # 448744